

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

**DECLARATION OF LEAH
GODESKY IN SUPPORT OF
DEFENDANTS' MOTION IN
LIMINE REGARDING FICO'S
PRESENTATION OF EVIDENCE ON
ITS ALLEGED ACTUAL DAMAGES**

Defendants.

I, Leah Godesky, declare as follows:

1. I am an attorney at O'Melveny & Myers LLP and am one of the attorneys representing Defendants Federal Insurance Company and ACE American Insurance Company (collectively, "Federal") in this case.
2. Attached as **Exhibit 1** is a true and correct copy of the expert report of Neil Zoltowski dated April 19, 2019.
3. Attached as **Exhibit 2** is a true and correct copy of the expert report of W. Christopher Bakewell dated May 17, 2019.
4. Attached as **Exhibit 3** is a true and correct copy of the March 9, 2005, email from Christopher LeBaron regarding the Amazon enterprise-wide license, produced during litigation with bates number FICO0062503.

5. Attached as **Exhibit 4** is a true and correct copy of the September 21, 2006, email from James Chaban regarding the Humana enterprise-wide license, produced during litigation with bates number FICO0062204.

6. Attached as **Exhibit 5** is a true and correct copy of the July 5, 2013, email from William Waid regarding the Citi North American enterprise-wide license, produced during litigation with bates number FICO0062098-FICO0062102.

7. Attached as **Exhibit 6** is a true and correct copy of the February 28, 2006, email from William Waid regarding the Bank of America enterprise-wide license, produced during litigation with bates number FICO0062149-FICO0062151.

8. Attached as **Exhibit 7** is a true and correct copy of the March 1, 2006, email from David Burgess regarding the Capital One enterprise-wide license, produced during litigation with bates number FICO0062287-FICO0062288.

9. Attached as **Exhibit 8** is a true and correct copy of the February 27, 2007, email from Karen Baele regarding the Merrill Lynch enterprise-wide license, produced during litigation with bates number FICO0063033-FICO0063034.

10. Attached as **Exhibit 9** is a true and correct copy of the September 13, 2007, email from Robin Douglas Green regarding the Dell enterprise-wide license, produced during litigation with bates number FICO0062968-FICO0062974.

11. Attached as **Exhibit 10** is a true and correct copy of excerpts of the William Waid deposition transcript taken on January 16, 2019.

12. Attached as **Exhibit 11** is a true and correct copy of excerpts of the William Waid deposition transcript taken on April 2, 2019.

13. Attached as **Exhibit 12** is a true and correct copy of Plaintiff Fair Isaac Corporation's Third Supplemental Answers to Interrogatory Nos. 6-9 dated August 14, 2020.

14. Attached as **Exhibit 13** is a true and correct copy of the reply expert report of Neil Zoltowski dated May 31, 2019.

15. Attached as **Exhibit 14** is a true and correct copy of excerpts from the December 13, 2022, hearing transcript on the Motion to Bifurcate.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: January 13, 2023

s/ Leah Godesky
Leah Godesky